

HOUSE BILL 426  
By Hargett

AN ACT to amend Tennessee Code Annotated, Title 40,  
Chapter 35, Part 3, relative to eligibility for  
probation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-35-303, is amended by deleting the first sentence of subsection (a) and substituting instead the following:

A defendant shall be eligible for probation under the provisions of this chapter if the sentence actually imposed upon such defendant is eight (8) years or less; provided, that a defendant shall not be eligible for probation under the provisions of this chapter if the defendant is convicted of a violation of § 39-17-417(b) or (i), § 39-13-304, § 39-13-402, § 39-13-404, § 39-13-504 or § 39-15-402.

SECTION 2. This act shall take effect on July 1, 2005, the public welfare requiring it and shall apply to all persons committing the offense of carjacking on or after such date.